

**OFFICE OF THE MAYOR
MIAMI-DADE COUNTY, FLORIDA**

VETO AND VETO MESSAGE

To: Honorable Chairperson and Members
Board of County Commissioners
Miami-Dade County, Florida

From: 
Carlos Alvarez, Mayor
Miami-Dade County, Florida

CLERK OF THE BOARD
2006 MAR - 2 AM 8:22
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DADE COUNTY, FLA.
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Pursuant to the authority vested in me under the provisions of Section 1.10.A of the Miami-Dade County Home Rule Charter, I hereby veto Resolution number R-214-06 adopted at the February 21, 2006, Board of County Commissioners Meeting:

**RESOLUTION DIRECTING COUNTY'S PROFESSIONAL STAFF
TO CORRECT THE RECORD WHEN MEMBERS OF THE
PUBLIC PROVIDE INACCURATE INFORMATION WHEN
ADDRESSING THE COUNTY COMMISSION**

Veto Message

On Tuesday, February 21, 2006, the Board of County Commissioners (Board) approved Resolution No. R-214-06, which directs the County's professional staff to correct the record when a member of the public addressing the Board provides inaccurate information.

Presentation of accurate and objective information is critical for the Board to make the best decisions possible and transmit the correct messages to the public. With a government as large and complex as ours, and the vast number of stakeholders involved, it is inevitable that many versions of the "truth" will always be permeated to the public through the media. While I commend Commissioner Dennis Moss, the sponsor of this resolution, for his efforts to ensure the accuracy of the public record, I have several concerns with this legislation. For the reasons outlined below, I am exercising my authority as Mayor to veto this resolution.

As the representatives of our respective areas and the County as a whole, we were elected to be the voice of our people – and to ensure our people's voices are heard. Voltaire has been paraphrased to say, "I disapprove of what you say, but I will defend to the death your right to say it." I am concerned that this resolution sends a negative message to the public and may dissuade certain people from addressing the Board. It is already formidable for many speakers to take time off from work, wait a period of time, and speak in front of an audience. Now, add to this, trepidation that they may be "corrected" by staff regarding a situation that may be reality in their case. Unfortunately, information inconsistent with that of staff's beliefs could easily be misconstrued as inaccurate information.

A policy that could have implications on the fundamental right to free speech should have been more clearly thought out prior to being adopted. The resolution is silent as to how this policy would be administered, which masks its far-reaching implications. For example, an analysis is needed to determine the possible fiscal impacts and the role, if any, the Communications Department staff will play in its implementation. Commissioner Sorenson raised other valid points, such as will staff be held accountable if they do not speak up and what will be defined as "inaccurate information." Even proponents of the item expressed the need to set out clear guidelines. Due to the ambiguity of this subject, it will be difficult for an Administrative Order to be drafted in such a way that interpretation will be clear-cut.

Finally, while as elected officials we are often held to a higher standard – and rightfully so – we are only human. It is possible for any of us to make misstatements based on our individual understanding of or personal experience with an issue. We cannot purport to know everything about everything. To reiterate the sentiments of Commissioners Edmonson, Gimenez and Sorenson, this policy would be more palatable by the public if elected officials also stood to be corrected when they present inaccurate information.

I will not support a policy that could infringe on the public's ability to freely discourse and comment on public matters. In fact, dialogue that occurs during public hearings often proves instrumental in the fate of proposed legislation. The intent of this resolution is honorable; however, further consideration needs to occur before enacting it. County staff (usually the County Manager or County Attorney) already responds to factually-incorrect statements made by the public to the best of their ability. In addition, mechanisms currently exist to set the record straight outside of the Board's chambers, such as press releases, editorials, interviews, and publications. Thus, it is unclear as to whether this resolution is even necessary. This resolution may result in more truth in the public record, but could result in even less truth being put forth by the public.